



March 10, 2009

ENGROSSED SENATE BILL No. 465

DIGEST OF SB 465 (Updated March 10, 2009 9:44 am - DI 96)

Citations Affected: IC 22-2; IC 22-8.

Synopsis: Department of labor administrative matters. Specifies that an employer is required to post a single page poster to notify employees about Indiana's minimum wage law. Authorizes the commissioner to determine the reasonable compensation of an attorney serving as an administrative law judge in occupational safety and health cases.

Effective: July 1, 2009.

Buck, Boots, Tallian, Mrvan
(HOUSE SPONSORS — KERSEY, TORR)

January 14, 2009, read first time and referred to Committee on Pensions and Labor.
February 5, 2009, amended, reported favorably — Do Pass.
February 9, 2009, read second time, ordered engrossed.
February 10, 2009, engrossed. Read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 25, 2009, read first time and referred to Committee on Labor and Employment.
March 10, 2009, amended, reported — Do Pass.

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ES 465—LS 7478/DI 102+



March 10, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 465

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-2-2-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2009]: Sec. 8. **(a)** Every employer subject to the
3 provisions of this chapter or to any rule or order issued under this
4 chapter shall **each pay period** furnish to each employee a statement ~~of~~
5 **that includes at least the following information:**

6 (1) The hours worked by the employee. ~~and~~

7 (2) The wages paid to ~~him~~ **the employee**.

8 (3) A listing ~~of the~~ deductions made. ~~each pay period, and~~

9 **(b) The** An employer shall furnish **to** the commissioner upon
10 demand a sworn statement of the ~~same~~. **Such information furnished**
11 **to an employee under subsection (a).** Records **relating to the**
12 **information furnished** shall be open to inspection by the
13 commissioner, ~~his the commissioner's~~ deputy, or any authorized agent
14 of the department at any reasonable time.

15 **(c)** Every employer subject to the provisions of this chapter or to any
16 rule or order issued under this chapter shall ~~keep a copy of them posted~~
17 **post** in a conspicuous place in the area where employees are employed

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a single page poster providing employees notice of the following information:

(1) The current Indiana minimum wage.

(2) An employee's basic rights under Indiana's minimum wage law.

(3) Contact information to inform an employee how to obtain additional information from or to direct questions or complaints to the Indiana department of labor.

(d) The commissioner shall furnish copies of this chapter and the rules and orders to employers without charge **upon request**.

SECTION 2. IC 22-8-1.1-35.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 35.1. (a) The board in the discharge of its functions may inspect the premises involved in the dispute.

(b) The board shall select an administrative law judge under IC 4-21.5-3-9. However, if the board selects any individual who is not a member of the board, that individual must be an attorney. Any attorney so appointed shall ~~be compensated the same as members of the board.~~ **receive reasonable compensation as determined by the commissioner.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 465, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 7.

Page 2, line 1, delete "substantiating" and insert "**relating to**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 465 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 11, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred Senate Bill 465, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 6, delete "for" and insert "**to inform**".

Page 2, line 6, delete "wanting" and insert "**how**".

and when so amended that said bill do pass.

(Reference is to SB 465 as printed February 6, 2009.)

NIEZGODSKI, Chair

Committee Vote: yeas 7, nays 0.

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